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MINUTES OF THE COUNCIL AND GENERAL COURT—
1622-1629.

(From the originals in the Library of Congress.)

(CONTINUED.)

A Court held at James Citye the 7th day of May 1627, being present:

Sir George Yeardley, Knt. &c., Doctor Pott & Capt. Roger Smith.

Whereas it appeareth upon the compl't of Ensigne John Uty, by the oaths of John Day(1) & Francis Banks, that Richard Bickley hath resisted & opposed him in his com'and, in denying to take armes & discharge his publick duty, the Court hath ordered that for this his offence he shalbe layed neck & heeles 12 howers & at the Croppe by way of fyne shall pay 200 lbs. of Tobacco

(1) John Utie, afterwards member of the Council, has been frequently noticed in this Magazine. At the Census of 1624-5, John Day, aged 24, who came in the **London Merchant**, 1620, and his wife who came in the same ship, were among Sir George Yeardley's "men" at Hog Island. Francis Banks, who came in the **Gift**, 1623, was one of Edward Bennett's servants at Wariscoyack in 1624. Richard Bickley who had come in the **Return**, was a servant of John Utie at Hog Island.

It is ordered at this court that, in regard Roger Dilk (by his owne confession) hath absented himself from his plantation without the knowledge or leave of his com'ander, contrary to an order of Court, for the space of 8 dayes compleat, that he shall pay (according to that order of court, viz: 25 l. of tobacco for every 24 howers absence) the some of 200 li. of tobacco.

A Court held the 21 of May 1627, being p'sent Sir George Yeardley Knt. &c., Dr. Pott & Capt. Roger Smith.

At this Court was delivered in the last will & testament of Thomas Grub(2), deceased, & proved to be the true will of the said Thomas Grub by the testamonye upon oath of Daniell Lacy, & that the said Thomas Grub was in p'fect sense & memorye at the sealing & deliverye herof.

It is ordered upo' complaint & informacon made by Ensigne John Utye, of the drunkeness & other misdemeanors of Roger Webster(3), that for his fault he shall pay by way of fyne 20 li. of tobacco & put in bond of 300 li. to keepe the good behaviour & to make his appearance at the next quarter court.

It is ordered that wheras it appeares by a bill under the hand & seale of Thomas Mahew(4) for five pounds sterling to be paid unto John Orchard, in com'odities as they cost in England the first peny, bearing date the ninth of May one thousand six hundred and twenty-sixe, that out of the goods of Thomas Mahew the said debt of five pounds shalbe presently paid (in whose hands soever they remaine) unto the said John Orchard.

Upon the peticon of Bridges & Freeman James Sleight th is court doth give them free leave to remove themselves & their goods from Martin Brandon unto some place or plantacon, where they may live more secured.

(2) Thomas Grubb, a joiner, came in the **George** and lived at Hog Island 1624-5.

(3) Roger Webster in 1624-5 lived at Hog Island. In 1632 he was a member of the House of Burgesses for the Glebe Land and Archer's Hope.

(4) A "Mr. Thomas Mahew, gentleman," had in 1637 a commission to examine persons leaving England for foreign parts (**Hotten**).

A Court held the 25th of June, 1627, present:

Sir George Yeardley, Knt., Governor &c

Capt. Smith

Mr. Claybourne.

Wheras Capt. John Martin appeared at this Court to answere unto ye suite of Tho. Gates(5) in the sume of eight hundred waight of tobacco being due by a bond under his hand bearing date the one & twentiethe day of Aprill 1626, the w'ch bond was acknowledged by the said Capt. Martin to be his owne deed and act under his owne hand. It is ordered that Mr Richard Kingsmell, Mr. John Southerne & Randall Smallwood Provost Marshall Shall praise the goods & Chattells of the said Capt. Martin uppon their oathes that soe paim't may be made unto ye said Thomas Gates of the debt aforesaid.

Wheras Wil'm Barnes & Robert Paramore(6) did on Thursday last behave themselves very negligently on their watch, it is therefore ordered that they shall pay three dayes worke a peice in cutting downe & clearing of such shrubbs & low woodes as are before the towne in the feildes. And likewise that Goodman Osborne for the like offence doe give on(e) dayes worke.

James Citty. A Quarter Court held the 2nd day of July 1627, being present

Sir George Yeardley, Knt., Governor &c

Capt. West, Mr Persey

Mr. Doctor Pott, Mr Secretary

Capt. Smyth, Capt Tucker

Capt. Mathewes, Mr farrar

The 3th of July 1627

(5) Thomas Gates, who came in the *Swan*, 1609 and his wife Elizabeth, who came in the *Warwick*, 1620, lived in 1624-5 at Pace's Paines, opposite Jamestown.

(6) Robert Parramore, who came in the *Swan*, was in 1624-5, resident at "Pashhehayes and the Main" near Jamestown. The appearance of the land where these careless sentinels were stationed, is still familiar. It was either an "old field," once cultivated; but now grown up in shrubs, or else it was a tract of woodland from which all the trees had been cut and only undergrowth left. In either case it seems strange that there should have been uncultivated land close to the little palisaded "town". It is possible that the land to be cleared lay across Pitch and Tar Swamp, and did not immediately adjoin the town. "Goodman Osborne," was John Osborne who, with his wife Mary, was living on James City Island in 1624-5.

It is ordered that Capt. Martin shall have three dayes time to sell his goods w^{ch} are allready prised, that he may make satisfaction unto Tho. Gates of the debt of 800 li. of Tobacco w^{ch} he oweth unto the said Gates, if not, that the said Gates be satisfied by ye sayd goods as they are allready prised.

It is ordered that Alice Thornberry for her offence in fighting with Ann Snoode & beating her, whereby just suspision may be had that shee did miscarry a child in the wombe of ye said Anne Snoode & caused abortion, shall receive forty stripes at the whipping post. And that the said Alice Thornbury & Anne Snoode, if they shall brake their good behavior, shall ["& uppon verdict therof"—erased] be whipt three several times in three dayes

At this Court Mrs. Alice Proctor(7) brought in the Inventory of all the goods of her husband Mr John Proctor, deceased, & delivered in the same uppon her oath, & desired a letter of Administration to [be] given unto her, w^{ch} was accordingly granted.

At this Court Capt. Mathewes did testify on the behalf of Mrs. Alice Procter that Dericke the Dutch Caprenter did proffer to make the one halfe of satisfaction for a wherry or such boate belonging to Mr John Procter, deceased, being left by one Garret—& the said Derricke according to the rate that had before been proffered to the said John Procter by others for ye same.

At this Court there was order given that a letter of Administration should be graunted unto Capt. Samuel Mathewes uppon ye Estat of Robert Lapworth (8) who lately died intestate or w^{thout} any disposall of his Estate.

It is ordered that Margaret Partin (9) the wife of Robert

(7) For John Procter and Alice his wife, see this Magazine XII, 90-92.

(8) Robert Lapworth, who came in the **Abigail**, lived at the College Land 1624-5.

(9) In 1624-5 "The Muster of Robert Partin" at West and Shirley Hundred, included himself, aged 36, who came in the **Blessing**, 1609, Margaret his wife, aged 36, who came in the **George** in 1617, and their three children, Robert, aged 4 months; Rebecca aged 2 years, and Avis, aged 5 years. Thomas Hale, one of their servants, was 20 years old and had come in the **George**, in October 1623. It would seem that the Partins were old planters of respectability and good-standing, and it is hard to understand, no matter what Hale's crime was, that the mother of three small children should receive such punishment.

Partin of Sherly Hundred for concealing the offence of Thomas Hayle lately executed, & for because she revealed not the same when it first came to her knowledge but did earnestly wthstand that it should any wayes be made knowne, shall be whippd & receave fortye strypes

ffinis Curiae

A Court at James Citty the 4th day of July 1627, being present

S^r George Yeardley, Knt., Governor &c

Capt. ffr. West, Mr Persey

Dr Pott, Mr Claybourne

Capt. Smyth, Capt. Tucker

Capt. Mathewes, Mr farrar

Bridges Freeman & James Sleight sworne & examined say that Capt. Martin by worde of mouth, did lease unto them some ground to plant at Martin Brandon & that they did covenant to pay him ye rent of two capons or two pulets & were to hold the same untill Christmas next.

At this Court Lt. Giles Allington delivered in uppon his oath an Inventorie of all the estate of Caleb Page deceased.

At this Court it was thought fitt that we should draw out partyes fro' all our plantations & goe uppon the Indians(10) &

(10) This campaign against the Indians (which it may be noted was ordered on a Fourth of July) was one of a series carried on annually for several years after the great Indian Massacre of 1622, which resulted in breaking for a time, the power of the Eastern Virginia Indians. Notices of these annual attacks are in this Magazine XIX, 116, 117, 119, 120, 122, 123. The plan of the campaign was as follows: the people of the College Land, (which included Farrar's Island, then a peninsula, but now really an island through the cutting of the Dutch Gap Canal,) and some adjacent territory in the present Henrico County, and also, probably Coxendale, and other places nearby in the present Chesterfield; and Neck of Land (the present Jones' Neck, on the south side of the river, not far below Dutch Gap) were to attack Taux (or Little) Powhatan, about the present site of Richmond. The commanders were Thomas Osborne, ancestor of the family long resident at Osborne's, Chesterfield county, and Thomas Harris, also ancestor of a large family in Chesterfield, Henrico, Cumberland, Richmond City, &c.

Next below, Shirley in Charles City County, Persey's Hundred (now Flower de Hundred), Jordan's Journey (now Jordan's Point) and Chaplain's Choicc, all three in the present Prince George, were to attack the Appomattox Indians, living on or near the river of that name and the Weyanokes, living in the present Prince George County. The com-

cutt downe their corne, and further that we should sett uppon them all in one day viz., the first of August next. The plantations of the Necke of land & the Colledge to goe uppon the Tanx Powhatans both the Shirley-Hundred, Jourdaines Journey, Chaplaine's Choise & Persey's Hundred uppon the Townes of ye Wlianoacks & ye Appomatucks, The Corporation of James Citty uppon ye Chicahominies & the Tappahannocs. Warwicke-River, Warrisquoiacke & Newport-Newse uppon the plantation of the Nansamundes Chesapeiacks. Commanders appointed for these services are these, viz: for Tanx Powhatan, Left Thomas Osborne in chiefe, Tho: Harris seconde. ffor Appomattuckes & ye Weianokes, Ensigne Epes & Mr Pawlet & to make choise of their seconds. ffor the Chicahominies Capt. Peirce in chiefe, Mr Harwood seconde. ffor the Tappahannas Capt West in chiefe, Mr Grendon seconde. ffor the Warisquoyacks Capt Mathewes. ffor the Nansamunds, Lt. Tho: Purfury ffor the Chesapeake Ensigne Willoby.

manders of this division were Francis Epes or Eppes, afterwards of the Council (some of whose numerous descendants still own land patented by him), and Thomas Pawlett, a great grandson of the first Marquis of Winchester, who was also later in the Council and was the first owner of "Westover."

The people of the Corporation of James City, which included Jamestown as its environs on the north side of the river and various settlements opposite on the south side, were to attack the Chickahominies (whose residence is indicated by their name) and the Tappahannas, living on the borders of the present Prince George and Surry. The commanders of this detachment were William Pierce (later a councillor, and the husband of John Rolfe's widow) and Thomas Harwood, later of Warwick County, where descendants of his name still live. The Commanders against the Tappahannas were Francis West, formerly Governor, a brother of Lord Delaware, and Edward Grindon.

Warwick River, on the north side of the James, and Newport News on the same side at its mouth, together with Warrisquoiacke, (around Pagan Creek, and the present Smithfield, Isle of Wight County), were to attack the Nansemonds, in the river bearing their name, and the Chesapeake, whose land lay between the Nansemond and the ocean. The commanders here were Thomas Purefoy, later of Elizabeth City County, and Thomas Willoughby, later of Lower Norfolk County, whose family gave the name to the well-known Willoughby Spit. Each of these men were later members of the Council, and each has many descendants. Samuel Matthews, afterwards Governor, commanded against the Nansemonds. Lt Peppet, in his ship, was to lie off the present West Point at the head of York River and make a feint against the formidable Pamunkeys.

And further it is thought expedient that Left. Peppet doe goe in ye good shipp called the [Arke"-erased] Virgin into Pamunkey River & ride to put the Indians in expectation of our coming thither, whilst the aforesaid business is in doeing.

It is alsoe thought fitt that about the beginning of October next there be a sufficient number of men drawne out fro' all the plantations of the Colony to goe to Pamunkey or any other parts to take & spoile as much corne as they shall light on, & to doe what other hurt & damadge to the Indians that they may.

5th of July 1627

At this Court Mrs. Jane Martian(11) ["Bartley"-erased] delivered in an Inventory of the Estate of Left Edward Bartley, deceased, uppon her oath.

The 21th of July 1627

John.Passeman sworne & examined sayth that the will of Hugh Hilton(12) dated the 3th day of April 1627, was the true will of the sayd Hugh Hilton and that he was in perfect sense & memorie at the making & the deliverie thereof.

A Court at James Citty the 13th of August 1627, present:
S'r George Yeardley, Knt., Go.
Capt. West, Capt. Mathewes
Doctor Pott, Mr Claybourne
Capt Smyth.

Wheras Alexander George, marchant, late deceased, did as it seemeth by a certain will enclosed & sealed up in a sheete of paper & left amongst his wrightings, appoint Mr Thomas Harwood & Mr Will'm Perry to be overseers of his said will & to take his estate unto their hands, the court hereuppon hath thought fitt, that accordingly the sayd Thomas Harwood &

(11) Lt. Edward Berkeley, who lived at Hog Island, was son of Sir Maurice Berkeley, and grandson of John Berkeley, formerly of Beverstone Castle, Gloucestershire, who came to Virginia in 1621 to take charge of the iron-works and was killed by the Indians in 1622. It has been known that Mrs. Jane Berkeley married, secondly, Capt. Nicholas Martian, afterwards of York County, but not that it was so soon as to be before the presentation of first husband's inventory. This use, however, of funeral baked meats, for a new wedding was common in the colonies.

(12) Hugh Hilton, aged 36 years in 1624-5, who had come in the **Edwin**, May 1619, lived at the Neck of Land in Charles City, 1624-5.

Will'm Perry doe take charge of all the whole estate of the sayd Alexander George & doe give in securitie to be accomptable for what they shall receive.

Wheras John Hayes, Marchant, deceased about the end of May last, w'thout making any will or Testam't, or any other way disposing of his estate soe as the same remaineth uncertaine & not directly disposed of to any. The Court considering that the said John Hayes addressed himselfe & remained w'th Capt Francis West, hath thereupon thought fitt to graunt the administration of the said estate unto ye said Capt. West, requiring that he doe give a sufficient bond to save the Court harme & as soone as may be to bring in a p'fect inventory of ye same.

A Court at James Citty 27th August, 1627, present:

S'r George Yeardley, Knt., Go. &c

Doctor Pott

Capt. Smyth

Mr. Claybourne

It is ordered that Robert Wright(13) shall have 12 acres of land in the Iland of James Citty at ye place called the Labour in vaine, & that he have a Patent therof graunted unto him as a part of his dividend due unto him for his personal adventure.

Wheras one John Croodeike, mariner, was in March last past unfortunately cast away in a bark about Newports Newses, & dyeing intestate & haveing divers debts of tobacco due unto [him] w'thin this Country, the Court hath ordered that Randall Smallwood shall have a Com'ission of Administration uppon ye sayd estate graunted unto him, & to ye [be?] accountable for ye same unto the widow of the said John Crookdeike in England or to any other to whom it may belonge

James Citty a Court the 3th of September 1627, present:

S'r George Yeardley, Knt., Governor &c

Doctor Pott

Mr Secretarie

Wheras Philemon Powell, marchant, deceased about the be-

(13) At the Census of 1624-5, Robert Wright, aged 45, who had come in the *Swan*, 1608, Joane Wright, and two children born in Virginia, lived at Eliabeth City.

ginning of July last past, dying inestate w'thout any disposal of his goods in certaintie [?] haveing divers debts due unto him, the Court hath thought fitt to graunt ye Administration of his estate unto Edward Sharples(14), being the brother of one John Sharples in England who adventured the merchandize & wares that ye said Philemon Powell brought over into the country as is uppon good information very probably conc uded

A Court at James City the 17th of Septmb. 1627, present:

S'r George Yeardley, knt., Go. &c

Doctor Pott

Capt. Smyth

Mr Secretary

Edward Albourne of Shirley hundred sworne & examined sayth, that about the three & twentieth of June last in the morning John Throgmorton(15) being that morning near unto the woods [was] wounded and shott in ye body by th' Indians & afterwards brought into the house, being yet liveing & in perfect memorie, called for Henry Throgmorton his Cosen & tooke him by the hand & sayd Cozin I make you a freeman & all that I have is yours, but the halfe of the house & ground is Edward Albournes and afterwards, about half an hour, being desired to make his will more perfecter, he sayd he gave unto ye wife of Oliver Jenkins the service of his negar for a yere. And further he gave unto his two servants William Edes & Thomas Stent two yeares a peice of their time, And to ye old Cooper Richard

(14) Edward Sharpless, the Clerk of the Council, who was sentenced by the Va. Assembly to have his ears cut off for betraying the secrets of that body was living at Jamestown in 1623; but does not appear in the census of 1624-5. It is stated that only a piece of one ear was actually cut.

(15) At the Census of 1624-5 the muster of John Throgmorton, or Throckmorton, at West and Shirley Hundred, included himself aged 24, who had come in the **William & Thomas**, 1618; Chayne [Cheyney] Boyse, aged 26 years, who had come in the **George** in May 1617, and three servants. Henry Throckmorton apparently came later than 1624. Edward Albourn was living at Flowerdieu Hundred, 1623, but does not appear in the Census of 1624-5. It is probable that these Throckmortons were of the Gloucestershire branch of the family, for Berkeley Hundred near Shirley, had been granted to a company of closely related Gloucestershire men; Sir William Throckmorton, Richard Berkeley, George Thorpe, and John Smith, of Nibley, and a number of their friends and relatives came over.

Andrews he gave after this year all his part & share of the said Richard Andrews his services. And this deponent can say no more in this matter.

Ensigne Francis Epes sworne & examined sayth that being present wth the above named John Throgmorton a little before his death, he, this deponent, desiring him to settle his estate & make a will he answered that for my estate I have allreadie disposed of it unto my kinsman Henrye Throgmorton.

James Citty 10th of Septem. 1627, present

S^r George Yeardley, knt., Go. &c

Capt. West

Doctor Pott

Capt. Smyth

Mr Secretarie

It is ordered that Mr Doctor Pott shall have the ground lyeing behind his house in James Citty together wth the swamps & fower acres on the other side of the same added & joyned unto his former Patent of 3 acres, w^{ch} in all amounts unto 12 acres, & to have a patent for ye same, the totall being twelve acres, as part of his own personall dividend

It is likewise ordered that Mrs Southey(16) shall have a parcel of ground graunted unto her child Henry Southey, the son of Henry Southey, deceased, who came over in ye Southampton 1622, in the garden near to James Citty adjoyning unto Mr Buck's house

Heruppon it is ordered that Mr Henry Throgmorton above sayd shall have a Com'ission for the Administration on all the estate of the above sayd John Throgmorton graunted unto him. And bring in an Inventorie of all the sayd estate at the next quarter Court & then give in bond to secure ye Court harmless.

The business of Christopher Hall's wife & Wm. Harrms fighting, beating & scolding.

(16) Mrs. Southey, was widow of Henry Southey, Esq., of Rimpton Somersetshire, who died soon after coming to Virginia.



Top—Archer's Hope Creek near its mouth.

Bottom—Confederate earthworks near Archer's Hope Creek, James River in background.

Divers examinations being taken and heard concerning the unquiett life w'ch they the people of Archers Hope(17) had through the scoldings railings & fallings out w'th Amy the wife of Christopher Hall & other abominable contentions lyeing betweene them to the dishonor of God & the breach of the King's peace, the Court hath theruppon ordered that the said Amy shalbe toughed [towed] round aboard the Margaret & John & ducked three times & further that Christopher Hall, John Upton, Robert Hutt, & Will'm Harmm & Amy the wife of the said Christopher Hall & Anne the wife of ye said Robert Hitt shalbe all bound unto their good behaviour & to appear at ye Quarter Court after Christmas.

The will of John Crannidge brought unto ye Court by Serg. Thomas Crumpe(18).

Elmer Philips & George Saunders sworne & examined doe testifie that the will of John Crannidge brought into ye Court was ye will of ye said John Crannidge & that he was in perfect sence & memory at ye making therof.

James Citty, the 8th of October 1627. At ye Court were present:

Quarter Court] S'r George Yeardley, Knt., Go. &c
 Capt. ffr. West, Doctor Pott
 Capt. Smyth, Mr Secretarie

It is ordered that Roger Marshall shall have a lease graunted unto him for the terme of ten yeares, of that parcell of land now by him possessed in James Citty Iland containing about eight acres & abutting betweene the lands of Mary Baulie & Thomas Passmore.

(17) One who has seen the quiet pine groves and the fields lying on each side of the mouth of Archer's Hope Creek (which takes its rise near Williamsburg and flows into the James), finds it hard to conceive of it as a place where neighbors quarrelled and fought. The little settlement here long ago disappeared. Archer's Hope was first selected as the place for the first settlement; but the water in front was too shoal. The bluff between the river and the creek was fortified by the Confederates and the remains of earthworks are still there. In 1876 a large gun lay close to the edge of the bluff.

(17) For Sergeant Thomas Crump, see this Magazine IV, 75.

A Court at James Citty the 9th of October 1627, present:

S'r George Yeardley, knt., Governor &c

Capt. West, Doctor Pott

Capt. Smyth, Mr Persey

Mr Secretary, Mr Farrar

Capt. Tucker

At this Court Will'm Andrewes of Accomack made petition to have one hundred acres of land granted unto him, abutting uppon ye land of Capt. Wilcox's at ye old Plantation Creeke the w'ch the Court hath condescened unto; provided that he prove that the said hundred acres to be by some meanes due unto him.

Uppon the earnest request of George Graves, it is ordered that he shall have a peice of ground in the Governor's garden behind his house there built, granted unto him.

At this Court Mr Henry Throgmorton delivered in uppon his oath an Inventory of ye estate of John Throgmorton, deceased.

(To be Continued)